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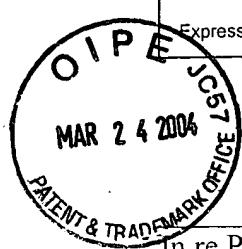
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Docket No.: 02136/0J098US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Domingo F. Payas

Application No.: 09/835,780

Art Unit: 2854

Filed: April 12, 2001

Examiner: Jill E. Culler

For: PROCESS FOR THE MANUFACTURE OF
SETS OF PRINTED PAGES FOR THE
PREPARATION OF BOOKS, AND SET OF
PRINTED PAGES MANUFACTURED BY
THAT PROCESS

APPELLANTS' BRIEF ON APPEAL UNDER 37 C.F.R. § 1.192

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.192, Appellant submits the following:

I. REAL PARTY IN INTEREST

Based on information supplied by Appellant and to the best of the Appellant's legal representative's knowledge, the real party of interest is the assignee, Digital Internet Transport System, S.L.

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II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences which might directly affect or be directly affected by or have a bearing on the Board's decision in the pending Appeal.

III. STATUS OF CLAIMS

Pursuant to the final Office Action dated February 25, 2003, Claims 1-5 remain rejected under 35 USC § 103(a) as being unpatentable over Feister (U.S. Patent No. 452,933) in view of Yasuo (EP 0 895 183) and Garber (U.S. Patent No. 3,593,987). Thus, Claims 1-7 are pending in the application, with Claims 1-5 on appeal.¹

IV. STATUS OF AMENDMENTS

A Response was filed on July 23, 2003, after the Final Rejection; amendments to the specification and claims were presented. The Response was entered, as indicated in the August 15, 2003 Advisory Action. And according to the Examiner during a September 8, 2003 teleconference, the amendments overcame all objections and rejections, with the exception of the prior art rejection.

V. SUMMARY OF THE INVENTION

The present invention is directed to a process for manufacturing sets of printed pages for the preparation of books. (Page 1, first full paragraph.) Paper is unrolled from a feed roller and

¹ The Advisory Action states that claim 1-8 remain rejected. However, during a September 3, 2003 teleconference, the Examiner confirmed to Appellant that all objections and rejections, with the exception of the prior art rejections, have been withdrawn. Appellant also notes that claim 8 was canceled in the Response to the final Office Action.

subsequently cut into a sheet of paper before the sheet is supplied to a printing machine, which prints bodies of text on the sheet. An electronic printing machine, which has a memory for the content of the bodies of text, and an electronic controller, which determines a surface area occupied by the bodies of text and parameters defining the bodies of text, are used to print the bodies of text with a symmetrical distribution with respect to a centre of symmetry of the sheet being printed and likewise symmetrically with respect to one or two axes of symmetry, which pass through the centre of symmetry and which are parallel with outer edges of the sheet, varying at least one of the outer edges of the bodies of text in accordance with dimensions provided therefor. (Page 2, lines 1-11 and 17-19; page 5, lines 5-19; page 6, lines 10-18; and page 6, line 26, through page 7, line 1.) The sheet is subsequently reversed in order to print bodies of text corresponding to reverse faces of the printed sheet. (Page 2, lines 11-15; and page 5, lines 20-22.) The printed sheet is then folded about one or both of the axes of symmetry in order to produce a set of pages which are cut at the outer edges in accordance with the dimensions of the printed pages of text. Finally, various sets of pages are joined and bound to form the book. (Page 2, lines 15-24; and page 5, lines 22, through page 6, line 9.)

The invention is thus based in dynamic printing, that is, a printing machine that dynamically displaces sections of groups of pages and adjusts parameters for a better arrangement. The invention permits different arrangements of pages and can manage this variability in flow whereby it is possible to modify the size of different sections with variations in the size and number of pages per section. Accordingly, the present invention permits the printing of books in a continuous flow, with varying sizes and different numbers starting from one single unit to a number of units without a need to stop the equipment for any adjustments including cutting, piling up the sheets and folding

the printed sections. This invention permits the printing houses to substitute physical stocks of books for electronic files, thereby providing a new system of distributed printing heretofore unknown.

VI. ISSUE

Whether Claims 1-5 were erroneously rejected under 35 USC § 103(a) as being unpatentable over Feister (U.S. Patent No. 452,933) in view of Yasuo (EP 0 895 183) and Garber (U.S. Patent No. 3,593,987).

VII. GROUPING OF CLAIMS

Appellant submits that Claims 1-5 stand and fall together. The reasons for patentability are set forth below.

VIII. ARGUMENTS

The claimed invention distinguishes over the prior art in that rather than being based in fixed printing it is based in dynamic printing. It is therefore possible to modify the size of the different sections with variations in the size and number of pages per section. More specifically, none of the applied references suggests printing bodies of text with a symmetrical distribution with respect to a centre of symmetry of a sheet being printed and likewise symmetrically with respect to one or two axes of symmetry, which pass through the centre of symmetry and which are parallel with outer edges of the sheet, as required by the claims.

The Examiner alleges that Feister, on page 1, lines 33-34, teaches folding sheets at their center margin. The Examiner also asserts that “[t]his can reasonably be interpreted to imply that

the text on the sheets is printed with a symmetrical distribution with respect to this center fold as a center of symmetry of the sheet being printed.”

Appellant strongly disagrees with the Examiner’s position. Referring to Fig. 1 of the application, the centre of symmetry is a single point on the sheet and is identified with reference numeral 2; the axes of symmetry, which pass through the centre of symmetry 2 and which are parallel with outer edges of the sheet, are identified with reference numerals 3 and 4, respectively. The center fold in Feister to which the Examiner refers is not a single point and is more similar to the axis of symmetry 3 of the application. While Feister may teach printing text with respect to an axis of symmetry such as that referred to with reference numeral 3 in the application, Feister does not teach or suggest printing text with respect to a centre of symmetry 2.

In view of the foregoing, Appellant respectfully submits that Claims 1-5 would not have been obvious in view of the cited references within the meaning of § 103. Therefore, reconsideration and reversal of the Examiner’s position to the contrary is respectfully requested.

IX. Conclusion

Appellants further respectfully request that the application be remanded to the primary Examiner with an instruction to withdraw the § 103 rejections and pass the case to allowance.

Please charge any fee, except for the Issue Fee, that may be necessary for the continued pendency of this application to our Deposit Account No. 04-0100.

Dated: March 24, 2004

Respectfully submitted,

By Laura C. Brutman
Laura C. Brutman

Registration No.: 38,395
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 753-6237 (Fax)
Attorneys/Agents For Applicant

APPENDIX**CLAIMS 1-7 PENDING, WITH CLAIM 1-5 ON APPEAL:**

Claim 1 A process for manufacturing sets of printed pages for the preparation of books, comprising the steps of unrolling paper from a feed roller and subsequently cutting a sheet of paper before the sheet is supplied to a printing machine, which then prints bodies of text on the sheet, wherein, in an electronic printing machine having a memory for the content of the bodies of text and an electronic controller for determining a surface area occupied by the bodies of text and parameters defining the bodies of text, printing the bodies of text with a symmetrical distribution with respect to a centre of symmetry of the sheet being printed and likewise symmetrically with respect to one or two axes of symmetry, which pass through the centre of symmetry and which are parallel with outer edges of the sheet, varying at least one of the outer edges of the bodies of text in accordance with dimensions provided therefor, and subsequently reversing the sheet in order to print bodies of text corresponding to reverse faces of the printed sheet and then folding the printed sheet about one or both of the axes of symmetry in order to produce a set of pages which are cut at the outer edges in accordance with the dimensions of the printed pages of text, and joining and binding the various sets of pages to form the book.

Claim 2 The process according to claim 1, wherein the bodies of text are printed on a sheet of standard DIN size, the folding of which about one or both axes of symmetry passing through the centre of symmetry of the sheet produces sets of pages of another standard size.

Claim 3 The process according to claim 1, wherein the adjustment of the parameters determining the bodies of text and the arrangement thereof on the sheet is effected by the electronic controller, which is externally operated, without stopping the continuous process of manufacture.

Claim 4 A set of pages manufactured in accordance with the process of any one of the preceding claims, wherein the set of pages comprises a sheet on which is distributed bodies of text which correspond respectively to pages of a book and which are arranged symmetrically with respect to the centre of symmetry of the sheet and with respect to the one or two axes of symmetry which pass through the centre of symmetry and which are parallel with the outer edges of the sheet, the sheet being folded about the one axis of symmetry if two symmetrical bodies of text are printed on each face of the sheet, or being folded about both axes if there are four bodies of text for respective pages on each face of the sheet.

Claim 5 The process according to claim 1, wherein each sheet is printed in an off-centre manner to produce a lateral edge strip which is parallel with one of the edges of the sheet, in order to enable the sheet to be gripped by pincers after the printed sheet has been folded.

Claim 6 The process according to claim 1, wherein a lateral edge strip is produced by a displacement of a base carrying the sheet along one or other of coordinate axes of a magnitude equal to that of the desired edge strip.

Claim 7 The process according to claim 1, wherein the sheet is arranged with its edge displaced with respect to a reference edge of a base carrying the sheet, printing being effected in accordance with coordinate axes of the base, to produce a lateral edge for gripping.



Application No. (if known): 09/835,780

Attorney Docket No.: 02136/000J098-US0

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